

him for his 70 years of service to our Nation.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I would just like to commend my colleague for his work with the Native American veterans and for working with me to pass S. 7, which is a very necessary bill for Native Hawaiian women. Aloha.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. I would also like to thank Senator HIRONO for the open communication that we have received in coordinating and successfully passing these pieces of legislation.

I yield the floor.

#### RESPECT FOR MARRIAGE ACT— MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Indiana.

#### REMEMBERING REX EARLY

Mr. YOUNG. Mr. President, last week, Indiana lost a legend, and America lost a true original. Rex Early died Friday at age 88, after a long battle with illness.

Rex was a lot of things in life. He was a U.S. marine. He was chairman of the Indiana Republican Party. He was a candidate for Governor of the State of Indiana. He is one of the few people in Indiana you had to go see if you wanted to run for public office.

But Rex will be remembered mostly for his sense of humor, his way with words. Many of his stories and “Rexisms” can be found in his book, “It’s a Mighty Thin Pancake (That don’t have two sides).”

After being stationed in Japan in the Marine Corps, Rex went to Indiana University on the GI bill. He married his sweetheart Barbara, and they moved to Indianapolis.

Rex said when he first went to register to vote in Indianapolis, the ward chairman said: Do you want to be a precinct committeeman? The last guy just went to jail.

Of course, Rex responded quickly “Sure,” and that is how he got involved in local politics—or so Rex told us.

Now, Rex said that one of the highlights of his professional career came during Ronald Reagan’s Presidential campaign when Rex hosted an event at his home for the future President. Rex said he was considering hanging a plaque that read “On May 4, 1980, Ronald Reagan used this bathroom.”

But as Reagan left his house that day, Governor Reagan told Rex, “All those people were wrong, Rex.”

Rex said, “What people?”

Governor Reagan said, “All the people who said you had no class.”

So Rex decided not to hang that plaque in his bathroom.

The Republican Party in Indiana today has enjoyed a long period of governing success, helping our State become one of the best run and most fiscally sound in the Nation. You can

trace that success directly back to work Rex Early put in in the early 1990s.

One of Rex’s 19 rules of politics was “You might be important, but the number of people who will attend your funeral will be dictated by the weather.” I don’t understand what Rex was trying to say. Don’t think too highly of yourself—perhaps that is what Rex had in mind. Don’t become, as Rex would call you, a “sophisti-suck.”

But I disagree with Rex perhaps on this point. Rex’s memorial service was well attended and not because the weather was good but because he made an indelible impression on everyone he met.

Semper fi, Marine.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KING). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. ERNST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. ERNST. I ask unanimous consent to use a prop during my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### INFLATION

Ms. ERNST. Mr. President, Thanksgiving is just a week away, and, of course, we will have turkey—or so we thought. In these difficult times as Americans, we all have a lot to be thankful for.

I am so proud of my daughter Libby and grateful for my brandnew son-in-law Andrew. I am thankful for being selected by my fellow Iowans to have the privilege of representing each of them in the U.S. Senate. And I know I speak on behalf of all Iowans when I express the most heartfelt gratitude for every one of the brave men and women who have served in the Armed Forces of our great Nation, risking everything to protect what we all hold dear.

Thanksgiving is the day set aside for us to gather with family and friends to express our gratitude for all of our blessings with a grand feast. When most of us think of Thanksgiving trimmings, delicious sides like cranberry sauce—one of my favorites—sweet potatoes, green beans, mashed potatoes and gravy, and stuffing all come to mind. But this year, as a result of Bidenomics, Thanksgiving trimmings refer instead to the items being cut from the menu due to rising prices.

With the cost of Thanksgiving dinner up 20 percent since last year, 9 out of 10 Americans are planning to eliminate at least one dish from their menu. Some are even skipping the turkey altogether and serving cheaper alternatives like pizza. Most are also planning to invite fewer guests, and one in four plans to pass on Thanksgiving dinner altogether to save money.

Hard-working Americans shouldn’t have to trim the guest list or side

dishes from Thanksgiving dinner, but with the out-of-control inflation being caused by the Democrats’ failed economic policies gobbling up our family budgets, that is exactly what is happening.

So let’s talk turkey. Turkey costs 21 percent more this Thanksgiving than last. As a matter of fact, the chairman of the Democrats’ Congressional Campaign Committee said families struggling with these rising prices should eat Chef Boyardee. That is what he said. If that is the Democrats’ solution, boy are we cooked. Chef Boyardee? No. Chef Boy—are-we-cooked. What did his constituents think of this idea? On election day, they canned him.

Instead of Chef Boyardee, Washington needs to serve up some real solutions to cut the causes of climbing costs. Beginning on his very first day in office, President Biden made it a priority to turn off American-made energy. This has been a recipe for disaster, with energy prices increasing nearly 18 percent just this last year.

According to the nonpartisan Congressional Budget Office, the Democrats’ so-called Inflation Reduction Act will even further increase the cost of natural gas, which will have a direct impact on food prices because natural gas is a key component for producing fertilizer, which is already costing our farmers two to four times more today than just 2 years ago. The Biden administration is also bringing out left-over land use rules from the Obama era that will impose costly and bureaucratic regulations on farmers that will also impact food costs. This certainly is no way to show gratitude towards those who grow the food we rely upon to feed our families on Thanksgiving and every other day.

Folks, let’s bring down costs by sticking a fork in these inflation-causing laws and burdensome regulations that the Democrats keep dishing out.

Bidenomics is going to be the real turkey at this year’s gathering, but I sure hope the bigger bite it is taking out of your budget doesn’t put you in a “fowl” mood when we all have so many other things to be thankful for.

Happy Thanksgiving.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### UNANIMOUS CONSENT REQUEST—S. 14

Mr. CARDIN. Mr. President, I rise to make a unanimous consent request in regards to legislation that has already been passed by the committees of authorization.

This is a bill that deals with fighting corruption globally. I need not remind

my colleagues that “corruption threatens the United States’ national security, economic equity, global anti-poverty and development efforts, and democracy itself.”

That was a quote in regards to President Biden’s published memorandum of establishing the fight against corruption as a core United States national security interest.

We have heard this over and over again. I was in the White House a few years back, and the National Security Council was convened because of the spread of corruption globally. It presents a national security threat to the United States of America, and we find that many countries are moving in the wrong direction in anticorruption measures, and there are identifiable issues—independent judiciary, dealing with antibribery status, dealing with public disclosure-type requirements. There are things that are pretty well-identified internationally as necessary in fighting corruption.

Yesterday, I was in a hearing in the Senate Foreign Relations Committee with one of our closest allies, Georgia; and their judiciary is no longer independent, presenting real problems for our national security interests.

So I have worked in a bipartisan manner with colleagues on the Republican and Democratic sides to develop a system whereby we would be able to determine which countries in the world need our attention in our bilateral relations and in the tools we have available to help them deal with creating an anticorruption system in their own governments.

And we worked together to figure out how we can do this in a manner that would implement the types of results we need from our State Department.

So the legislation that we crafted would have the State Department rank countries in the world as to whether they are in tier 1, 2, or 3.

Tier 3 would be the countries of our concern. These are the countries that are not taking steps to deal with systemic corruption that they have in their system that does not comply with international standards.

Tier 2 are countries that have not met those international standards, but they are taking the right courses.

And tier 1 are those countries that have met these international standards.

Now, this is not unique. We have done similar types of work in our State Department identifying problems with trafficking, trafficking in humans. We have similar types of work in our State Department to identify religious tolerance and freedom. We have similar efforts to deal with basic human rights. So this is a system that we have worked in the past.

But it goes even further than that. The legislation gives the capacity in the State Department, in the missions in those countries that are in tier 3, to have a point person to help deal with the country to make the corrections that are necessary, to assist them.

This is an effort to try to get countries on the right path to fight corruption. Because, you see, many countries are trying to become democratic states; but if they don’t have the tools in place to protect them against corruption, they are going to find that they are not going to succeed in their efforts. So this is really an important step forward in order to build more democratic states around the world. It gives the right capacity to the State Department in its missions. I am pleased with the support I have gotten from many diplomats around the world, from many people in both branches of government. This bill is bipartisan. It has been—we have had markups in our committees and passed it in our committees, and I am hopeful that we can get a unanimous consent today to move it through the Senate so that hopefully we can catch up with the work that is being done in the House. We can reconcile any differences that may exist, but we will at least have this bill ready to move to fight corruption.

So I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 88, S.14. I further ask that the committee-reported substitute be withdrawn, the Cardin substitute be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the title amendment at the desk be considered and agreed to, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, so I am going to reserve the right to object, and let me say I am doing this somewhat reluctantly because I fully acknowledge the Senator from Maryland is correct, that corruption is a scourge. There are many countries going the wrong direction. It is fully in the national interest of the United States to combat the corruption that we see, and he has proposed a completely good-faith, thoughtful approach to dealing with some aspects of the corruption that we find.

But I have concerns about the particular way in which he does this, and I would like to work with him and see if we can find common ground on this.

Let me explain my concern.

The bill would task the State Department with annually ranking every country in the world, including our partners and allies and friends and even, maybe, countries that aren’t necessarily so friendly but, at the moment, are maybe working with us. It requires that this ranking of countries, based on how corrupt they are, be then made public. That is for good intentions, but I am concerned that in the process of naming and shaming countries that are deemed to be in the wrong place, it could complicate efforts that we are making, whether it is our Treasury or our State Department,

with very legitimate objectives that we have that are unrelated to the corruption problem that the country faces.

For instance, depending on the country, maybe we want them to be more cooperative in the global coalition against Russia to defend Ukraine. Let’s be honest. There are corruption problems in Ukraine also, but we are defending Ukraine, quite rightly. Maybe it is about joining the administration’s Indo-Pacific economic framework, which is very important for a variety of reasons, but maybe there are corruption problems.

This seems like a bit of a blunt tool that requires this labeling and naming and shaming, and it doesn’t provide the discretion for the administration to say: You know, maybe right now isn’t the right time to rub their noses in one of their problems because we need them for something else.

So I guess what I would say is, look, fighting corruption is absolutely important, and the Senator from Maryland has been consistent and thoughtful on this, but it is not our only—and sometimes it is not our most important—objective with another country.

I would like to continue to work with the Senator from Maryland, and I would be very happy to devote the time and energy to try to make sure we are able to get to common ground here before the end of the year; but at this moment, I can’t support this, so I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I am disappointed that there is an objection, but I appreciate my friend from Pennsylvania’s willingness to sit down and continue to try to work this out.

We have met with several Members who have had some similar concerns, and I thought we had resolved most of those issues. I am fully prepared to continue to work with the Senator from Pennsylvania, and, hopefully, we can find a common spot.

I would just point out that we have strategic partnerships with so many countries around the world that our State Department is very clear that we are not going to abandon our core principles in that relationship. We might need their help on a security issue, but if their human rights do not meet international standards, that will be raised.

We know that, in many bilateral meetings that we hold with Senators or that the administration holds with heads of state on important subjects, they mention human rights because it is an important value that we have in our relationship. We do the same in the trafficking of persons. We do the same for religious freedom. We do the same in so many other areas. Corruption is a growing problem globally, and we need to elevate the importance of that in our bilaterals and the importance of that in supporting internationally recognized standards.

But I understand the gentleman's concern. I will take him up on his offer. I will try not to bother him on Thanksgiving itself; but, perhaps, we can work together and find a way that we can move this forward.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

#### UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. TESTER. Mr. President, I come to the floor today to ask for a unanimous consent request on the confirmation of a highly qualified nominee standing ready to help lead the greatest military this world has ever known.

Last month, I had the opportunity to go to Eastern Europe. I had the opportunity to visit with folks, to visit with our troops who are out there on the frontlines. I could not have been prouder of these folks who are placed far, far, far away from the United States, fighting the fight, stopping Russian aggression, and doing what they need to help protect our democracy and, quite frankly, the democracies around the world.

It is our responsibility, as the U.S. Senate, to ensure that these folks have the support they need to protect our national security and defend our country against foreign adversaries like Russia.

It is going to happen with the appropriations process. Hopefully, we will get a top-line number very, very soon, and we will get that done in December.

But equally important is the kind of leaders we have in our military. We have to have capable leaders; otherwise, things won't happen as Congress intends them to. When these positions are left open, the military has their hands tied behind their back. I might add, this is the biggest budget by far in the United States of America.

I had a visit with Senator LEE, and he is going to raise some important points today. I understand where he is coming from. I also got notification today that the Secretary of Defense is going to meet with Senator LEE on the 23rd of November. I intend to hold them to that so that Senator LEE can bring up the challenges that he sees, and hopefully there will be good faith involved on both sides and a solution can be found, if there is a solution to be found.

I can't emphasize enough how, if we want to hold people accountable to spend the money right, that we appropriate—if we want to hold people accountable for doing the job of protecting this country and defending democracy and our freedoms, we have to have people in these critical positions.

For that reason, we have a nominee before us today as Deputy Under Secretary of Defense for Security and Intelligence—let me say it again—Deputy Under Secretary of Defense for Security and Intelligence. This is a very, very important position when it comes to our security.

Milancy Danielle Harris is her name. She has an incredible resume within the intelligence community. She has proven leadership within the DOD. There is no doubt in my mind that she will make the world a safer place, and that is why it is critically important today to confirm this nominee.

I am a U.S. Senator, just like the good Senator from Utah, and I can tell that you when we ask questions, we want answers. When we have problems, we like to find solutions.

I am willing to commit to the Senator from Utah today that I will work with you to try to help you find solutions, but we really need to get this nominee confirmed.

With that in mind, I want to ask unanimous consent that, as in executive session, the Senate consider the following nomination: Calendar No. 1153, Milancy Danielle Harris, to be Deputy Under Secretary of Defense; that the Senate vote on the nomination without intervening action or debate; that, if confirmed, the motion to reconsider be considered made and laid upon the table; and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Mr. LEE. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. My staff and I have been in close contact with the Department of Defense regarding Ms. Harris's nomination. The Department of Defense is aware of my concerns with the nominee and also aware of the very simple request that I have made to the Department in connection with her nomination. For these reasons, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. TESTER. Mr. President, I wish to say this: The Senator from Utah has every right to object, and he has every right to get his questions answered, but we are 2 years into this administration. I hear every day folks from the other side of the aisle get up and rail on the Biden administration for not doing this and not doing that. That is patently unfair if we can't get people confirmed to the positions that need to be confirmed 2 years after he was sworn into the Presidency.

I yield the floor.

The PRESIDING OFFICER (Mr. VAN HOLLEN). The majority leader.

#### TRIBUTE TO NANCY PELOSI

Mr. SCHUMER. Mr. President, I just left the floor of the House for one of the most emotional moments I have had in my career: the valedictory of NANCY PELOSI, one of the greatest leg-

islators and greatest people I have ever met.

I first met NANCY PELOSI back in 1987. I was a Congressman, and we had a little dinner group that would go out to dinner every Tuesday night. One of the leaders of that group, George Miller, a Congressman from California, came up to me. He said: In a few minutes, I am going to introduce you to a new member of our group. She is the new Congresswoman from San Francisco, and she is going to become the first woman Speaker.

That was the first thing I heard about NANCY PELOSI, even before I met her, and the moment I met her, I saw what he meant. It was obvious that this new Member from the west coast of California had it all—NANCY D'ALESSANDRO PELOSI.

She is the proud daughter of Baltimore's Little Italy neighborhood, the estimable Representative from the State of California, and the first woman ever as Speaker of the U.S. Congress.

It was amazing. She did an amazing job, and I wanted to go over to the House floor where I had served 18 happy years, many of them as a colleague of Speaker PELOSI and a friend, to just say thank you for the amazing things she has done for our country.

Few in American history have been as effective, as driven, as successful as Speaker PELOSI. She has transformed practically every corner of American politics and unquestionably made America a better, stronger nation. You know, I am known as having a lot of energy, but I have never ever met anyone with more energy than NANCY D'ALESSANDRO PELOSI. She is always moving in many directions at once, and she has a complete grasp of each direction in which she is moving even though she is moving at the same time.

She is just an amazing person. She never forgot why she is in the fight to begin with—as she said, the children, always her North Star, helping the children of America. She did so much—her passion to pass the ACA was for the children above all; and for women, where she broke, of course, one of the greatest glass ceilings we have had, becoming the first woman Speaker; and the American Rescue Plan and the Lilly Ledbetter Act and the infrastructure bill and VAWA and pandemic relief; climate change; repealing don't ask, don't tell—just a few of her amazing achievements.

She taught me a whole lot. NANCY PELOSI paid attention to each of her Members—I try to do the same—and she always taught the Members to be unified. Her expression that she repeated over and over again, which I have repeated to my caucus on so many occasions: Our unity is our strength.

She would tell us, she would tell everyone: If everyone goes in his or her own direction, you will get nothing done, but if we all come together and everybody gives a little bit, we could get a lot done. And she sure did.

I remember the moments that just became available on the tape when she and I were at the “secret place” during the attack on this Capitol, which so, so struck her, but there she was, cool, calm, and collected. Together, we worked to try to get either the National Guard or the police on the Hill, and we resolved that we were going to come back and actually count the votes—heavily regarded as one of Speaker PELOSI’s greatest moments. And, again, she was cool, calm, collected. She knew exactly what to do and how to do it.

So it is hard to fathom that very soon we will begin a new Congress where she is no longer a member of the party leadership. In my time as Democratic leader and as majority leader, she has been the best partner and ally I could ask for, and we have also been friends. She shared the joy of the birth of my children. I shared the joy of so many of the good things that happened in her family. She would always be talking about her family and always wanted to hear about mine. She was not only a great legislator; she was a great human being.

Today particularly, I want to wish the very best to her family, especially Paul. I cannot imagine how painful and scary it has been for the Pelosis in the aftermath of Paul’s attack, but, as usual, Speaker PELOSI carried herself with the same courage, grace, and dignity that she has always been true to.

Finally and maybe most importantly, NANCY PELOSI made our country a much better place for countless women and girls from every walk of life. NANCY PELOSI was the one to blaze the trail, but you can be certain that countless other women will rise up in leadership in this country because of what she has accomplished and how she inspired them.

I am going to have more to say in the weeks to come, but for now, let me finish with this: To NANCY PELOSI, my dear, good, and close friend, thank you. Thank you for being you. Thank you for dedicating your life to public service. Thank you for teaching us so much. Thank you for inspiring us all. It has been an honor of a lifetime to work with you.

#### ORDER OF BUSINESS

Now, one notice to the Members, who I know want to hear about the schedule: We are working on an agreement on the marriage equality bill, and I hope that we can have a vote on the motion to proceed shortly. If we do not reach agreement, the vote is going to occur at 10 p.m. this evening. Members should be aware, and Members should stay close.

I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Utah is recognized.

#### RESPECT FOR MARRIAGE ACT

Mr. LEE. Mr. President, the Supreme Court’s decision in *Obergefell v. Hodges* is the law of the land. A single line from a single concurring opinion does

not make the case for legislation that seriously threatens religious liberty.

The Respect for Marriage Act is unnecessary. States are not denying recognition of same-sex marriages, and there is no serious risk of anyone losing recognition. There is not a single piece of legislation that I am aware of moving through the Congress or any State legislature to do the same.

But the Supreme Court majority explicitly stated in its *Dobbs* ruling earlier this year that the *Dobbs* decision had no bearing on the recognition of same-sex marriage. The proponents of this bill falsely claim that same-sex marriage is under attack because Justice Thomas suggested in a concurring opinion in *Dobbs* that the Supreme Court should take a closer look at all of its substantive due process jurisprudence; not necessarily to strike down those rulings, but often to consider whether they should be premised on a different constitutional hook. The majority opinion is what mattered, and it is the one that the majority of the Supreme Court supports.

Now proponents of this bill pretend that the legislation would simply codify the status quo. I take exception to that because I don’t think that is true. But even before we get to that issue, I think it is important for us to think about what codifying *Obergefell* on its own terms could mean and why it is that we ought to look at steps to protect religious freedom in light of *Obergefell* and in light of anything that purports to codify *Obergefell*.

I remember when the *Obergefell* case was being argued before the Supreme Court of the United States in 2015. Solicitor General Don Verrilli, in representing the U.S. Government—with then the Obama administration in power—was arguing before the Court, and Justice Alito, my former boss, interjected with a question.

He asked Solicitor General Verrilli, if the Supreme Court of the United States recognized a constitutional right to same-sex marriage throughout the United States, whether that, when read with other precedent—read in context with other Federal civil rights protections, along with prior Supreme Court rulings—might not result in the risk of some nonprofits, including some schools and universities, being threatened with the loss of their tax-exempt status.

Solicitor General Verrilli responded immediately and unambiguously. He said: Yes, Justice Alito. That is going to be a problem.

He reiterated it three times that that would be a problem and that it would be something that would have to be addressed.

What he was acknowledging was that there was a real risk dealing with *Obergefell* itself in that, unless we take steps to protect religious colleges, religious universities, and other religious nonprofits, some of those might be threatened with the loss of their tax-exempt status, based solely on their re-

ligious beliefs about marriage—about what a marriage is and what it is not.

Many in the immediate wake of *Obergefell* came right out, and purporting to offer comfort to religious Americans and religious institutions in America, many came forward and said: Oh, this risk isn’t going to materialize.

As I recall it, President Obama, at the time, said: Look, I am not going to force any church to perform a same-sex marriage contrary to its religious teachings.

That isn’t how this happens. That is not how this risk materializes. That isn’t the risk. It never really was the risk. The risk is, rather, whether religious Americans, whether acting individually or as a group, will be retaliated against—denied some privilege or status or access under Federal law to which they would otherwise have access—based solely on a religious- or a moral conscience-based belief about the definition of marriage.

So that risk exists independent of this legislation. It has been enhanced by the *Obergefell* ruling, and it would be materially enhanced if this legislation were to pass without corresponding, necessary, statutory protections for religious freedom.

Indeed, Cardinal Timothy Dolan of the United States Conference of Catholic Bishops warns of this very thing.

He warns as follows:

This bill’s harms would be far-reaching. In any conflict with same-sex civil marriage and the rights that flow from it, it will be said that Congress took pains to codify *Obergefell*, but not to protect the freedoms of speech and religion that *Obergefell* harms, making them second-class rights.

In other words, this bill only makes things worse. This bill takes the pre-existing risks presented by *Obergefell* itself and enhances them, expands them, especially because, by protecting one set of interests—those identified in *Obergefell*, in the decision itself—but doing nothing to address the corresponding enhanced risks we are presenting for religious freedoms, it makes for a very, very significant concern.

He continues:

The bill will be a new arrow in the quiver of those who wish to deny religious organizations’ liberty to freely exercise their religious duties, strip them of their tax exemptions, or exclude them from full participation in the public arena.

So this bill—this bill that has been brought before us—will, unless modified as necessary, result in three significant problems.

First, the bill will label people of faith with differing views on marriage, influenced by their religious beliefs and moral convictions, as bigots.

Second, the bill’s new private right of action will subject religious Americans to a torrent of litigation—even more than they face now. Doing so will further erode their constitutional right to freely live according to their religious beliefs. This is, after all, what happens any time we allow for the free exercise of religion to be chilled by such action.

Third, the bill will put in jeopardy the work and existence of religiously minded social agencies, educational institutions, and other nonprofits as their tax-exempt status will be threatened.

Our country was founded on the principle that government should not interfere with the ability of people of faith or of people of no faith at all to practice their religion and to live by the tenets of their own faith in their daily lives.

Of course, this can and should be done without interfering with the right of other people to live their lives. That is what we expect. In fact, every time we as Americans seek to protect freedoms, liberty, whether through the adoption of the First Amendment or the adoption of the equal protection clause of the 14th Amendment, for example, or anywhere else, we seek to do it in a way that doesn't create a zero-sum game by enhancing the rights of some while diminishing the rights of others. That is not who we are. That is not how we roll. That is not how our constitutional framework was ever intended to function. It is antithetical to who we aim to be.

This bill elevates the rights of one group and does so at the expense of another, and it does so needlessly as there is a way to accommodate both interests, but that way, unfortunately, isn't pursued by the authors of this bill.

Many, including some on the left, want to label people who disagree with them on marriage as bigots and force them, in this instance, through endless litigation and threats, to comply with the beliefs of the left and renounce their genuine, sincere religious beliefs.

Proponents of this bill claim that the substitute amendment, which we saw for the first time just a few days ago, somehow fixes all of the concerns raised by those of us who want to protect religious liberty. They are wrong. They couldn't be more wrong. They are sadly, sadly, and severely mistaken. The amendment's narrow protections for people of faith apply to only limited circumstances—for example, to the solemnization and celebration of marriages. That protection and a few others are severely anemic when viewed against the backdrop of the threat to religious freedom presented by this bill.

Indeed, these changes brought about by the most recent amendment do nothing to prohibit the already existing, already mounting threat of government discrimination against individuals and organizations that hold traditional views regarding marriage—a risk that is materially enhanced by this legislation and all that will flow from it.

For example, Catholic Charities and other religious adoption agencies could be shut out of foster care and adoption ministries due to discriminatory government policies—policies that discriminate against them specifically be-

cause of their religious beliefs. The bill will only exacerbate what is already occurring in Illinois, Massachusetts, California, and the District of Columbia, potentially making this a nationwide trend.

The United States Conference of Catholic Bishops' work with the Department of Health and Human Services in providing foster care to unaccompanied alien children and to unaccompanied refugee minors will be even more at risk than it is right now.

The legislation itself will put religiously affiliated schools and faith-based organizations and others who hold traditional views of marriage at even more risk of being compelled to hire or retain employees whose conduct contradicts their religious beliefs. Wedding vendors will potentially be subject, because of this legislation, to increased lawsuits, harassment, and the destruction of their livelihoods based on their religious beliefs and their desire to live their lives according to their beliefs. This includes small- and family-owned businesses, including religious businesses like kosher caterers.

Nonprofits face the potential revocation of their tax-exempt status based on their religious beliefs. At a time when we have added 87,000 new IRS agents, we shouldn't give them any additional encouragement to abuse that power in a way that threatens the beliefs and institutions that are so important to so many Americans and that form the bedrock of some of our most important institutions.

The bill's proponents claim that they want to protect religious liberty and that their most recent amendment does that, but they refuse to adopt my amendment or anything like it that would prohibit the Federal Government from discriminating against people or organizations that have traditional views on marriage based on sincerely held religious beliefs and moral convictions.

In many instances, they claim that the most recent amendment, in fact, does that—or they at least suggest that. The language of the most recent amendment even reads as if it might be going in that direction, but a closer inspection reveals that, alas, it does not. It does no such thing.

By suggesting that it doesn't do anything to alter or revoke tax-exempt status or any other status under Federal law—that the bill itself doesn't do that—it ignores the fact that this bill sets in motion, keeps in motion, and accelerates existing threats to religious freedom and to their revocation of tax-exempt status for broad categories of nonprofits based on religious beliefs.

It is disingenuous to suggest that this halts government from doing what I am warning of here. This amendment does not do that, which begs the question: Why? Why wouldn't they accept it?

Importantly, my proposed amendment places no restrictions on individ-

uals or even on State or local governments. It simply prohibits the Federal Government from discriminating against individuals or organizations that have sincerely held religious beliefs or moral concerns that marriage is and should be a relationship between a man and a woman. That is all.

What I don't understand is why my colleagues claim to want to protect religious liberty and uphold the First Amendment and, in fact, claim that their amendment essentially does that while simultaneously opposing my amendment so vigorously. I think we all know the answer to that question.

The bill pays lip service to protecting religious liberty, but it does not even begin to address the most serious, egregious, and likely threats to religious liberty presented by this bill. Those with differing views and beliefs can exist in the United States without threatening the constitutionally protected rights of one group—rights upon which our country was founded—to score political points.

You see, that is the beauty of America. Our Founding Fathers believed strongly in the principle that all religious beliefs should be protected, not just those favored by those in charge of government. It is yet another reason why, when we approach rights through legislation in the U.S. Senate and as Americans more broadly—when we protect rights—we know that we have a duty, an obligation, and an ability to secure those rights that we are trying to secure in a way that doesn't undermine the rights of others.

The fact that one group of Americans might have more political support for a particular right and in protecting that right doesn't make it OK within our system, within our culture, within our traditions to undermine the rights of others. That is exactly what we are facing here.

The good news is we can fix it. We can fix it. It is easy to amend this thing in a way that doesn't have to be this way. I have yet to hear any of my Democratic or Republican colleagues who supported the bill say that they want the Federal Government to be able to go out and indiscriminately threaten the revocation of tax-exempt status in order to punish religious beliefs with which they disagree.

I have yet to hear a single Republican or a single Democrat in the House or in the Senate or anywhere else in this town say—I have yet to hear any of them say—yes, that is what we want to do.

In fact, everyone who has addressed the issue has said: No, that is not what we want to do. Most of those on this bill have said: No, we have already taken care of that with this amendment. If that is really true, let's just adopt my amendment.

And if you don't want to do it in that form, if you want to write out another version of the same thing, something that does the same thing, that is fine too. But they shouldn't be able to punish religious belief. That is all I want,

a protection saying the Federal Government may not punish any individual or entity based on a religious or moral conviction-based belief about marriage. That is not too much to ask.

If you ask any American citizen whether that was reasonable, shoot, if you ask any Member of this body in public whether that is fair and reasonable, I think they would have to say yes because it is.

When legislation goes through this body and through this Congress in the proper way, we have a better chance of ironing out these details, of making sure that we are not expanding the zone of protected rights and interests of some at the expense of others. We do that pretty well.

Mr. President, you and I serve together on the Judiciary Committee. That is the committee of jurisdiction for legislation like this. This legislation should have gone through the Judiciary Committee, and yet we have not held a single hearing on it. We have not marked up this bill in Judiciary. We haven't independently voted on this bill in the Judiciary Committee.

In fact, it hasn't been through any committee process in the Senate that I am aware of. If it had, you know the kind of work we would have run it through, the kind of work we would have put into it, and the kind of carefully crafted language we could have produced as a result of it.

I am confident we could have and would have and definitely should have worked this out in committee had we had the opportunity to do so.

This legislation bypassed committees. Sometimes that happens. I understand that it happens from time to time. It is usually a very unfortunate thing when it does. But when it does, it does not excuse us from the obligation to try to replicate that process by at least making sure that we are not harming other people outside the immediate zone of intended protected beneficiaries of the legislation in question. That is all I am asking for here, and it isn't too much to ask.

States and the Federal Government can, and surely will, continue to recognize the validity of same-sex marriages, and they can do so without trampling on the First Amendment rights of those who believe in traditional marriage.

That is what it means to live in a pluralistic society. That is what it means to live in a society where we respect each other's differences, we allow each other to be who we are, live as we choose to live. That can't be done unless we allow each other to believe as we believe and not retaliate against others simply because they believe differently than we do.

Americans of good faith can continue to live by their own religion and daily life by living as they do and doing so without posing any threat to those who disagree with them. I am confident of that. But this bill does not strike that balance. It purports to do so, and it fails.

It labels people of good faith as bigots and subjects them to endless harassing litigation and discrimination and threats by that same government that was founded to protect their religious liberty.

Let's do this the right way, not the wrong way. We need to protect religious freedom. This bill doesn't do that. It places it in grave jeopardy. Let's fix the problem.

Mr. LEE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KAINE). Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, we continue to work on an agreement on the marriage equality bill. If we do not reach agreement, the vote on the motion to proceed will occur at approximately 10 p.m. this evening, so Members should stay close by.

#### NATIONAL CHARACTER COUNTS WEEK

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 848, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 848) designating the week beginning October 16, 2022, as "National Character Counts Week".

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. Mr. President, I know of no further debate on the resolution.

The PRESIDING OFFICER. Hearing no further debate, the question is on adoption of the resolution.

The resolution (S. Res. 848) was agreed to.

Mr. SCHUMER. I ask unanimous consent that the preamble be agreed to and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### RESOLUTIONS SUBMITTED TODAY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions introduced earlier today: S. Res. 839, S. Res. 840, S. Res. 841, S. Res. 842, S. Res. 843, S. Res. 844, S. Res. 845, S. Res. 846, and S. Res. 847.

The PRESIDING OFFICER. There being no objection, the Senate pro-

ceeded to consider the resolutions en bloc.

Mr. SCHUMER. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and that the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

#### CELEBRATING THE 100TH ANNIVERSARY OF THE MISSISSIPPI FARM BUREAU FEDERATION

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. Res. 800 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 800) celebrating the 100th anniversary of the Mississippi Farm Bureau Federation.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be agreed to; the Hyde-Smith amendment at the desk to the preamble be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 800) was agreed to.

The amendment (No. 6484) to the preamble was agreed to, as follows:

(Purpose: To amend the preamble)

In the second clause of the preamble, strike "lobbying" and insert "advocacy".

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

#### S. RES. 800

Whereas the American Farm Bureau was created in 1919 to disseminate college research results to farmers;

Whereas, since 1919, the American Farm Bureau has since grown into one of the strongest advocacy organizations in the United States, with 6,000,000 members and affiliated services and member benefits that include highly respected insurance companies;

Whereas the Mississippi Farm Bureau Federation was officially chartered on October 30, 1922, in Jackson, Mississippi, as a proud state affiliate of the American Farm Bureau;

Whereas C.L. Neill of Jones County was elected as the first president of the Mississippi Farm Bureau Federation;

Whereas the Mississippi Farm Bureau Federation is a strong voice of agriculture for farmers, ranchers, and rural Mississippians;